

**SUPREME COURT MINUTES
TUESDAY, APRIL 26, 2011
SAN FRANCISCO, CALIFORNIA**

S029843**PEOPLE v. BECK (JAMES
DAVID) & CRUZ (GERALD
DEAN)**

Extension of time granted

Good cause appearing, and based upon Deputy State Public Defender William T. Lowe's representation that he anticipates filing appellant Gerald Dean Cruz's reply brief by March 1, 2012, counsel's request for an extension of time in which to file that brief is granted to June 27, 2011. After that date, only four further extensions totaling about 240 additional days are contemplated.

S099439**PEOPLE v. KREBS (REX
ALLAN)**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy Attorney General Kenneth C. Byrne's representation that he anticipates filing the respondent's brief by May 27, 2011, counsel's request for an extension of time in which to file that brief is granted to May 27, 2011. After that date, no further extension is contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S143531**PEOPLE v. LEON (JOSE
LUIS)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to June 27, 2011.

S183703**G040798 Fourth Appellate District, Div. 3****PARKS (ALLAN) v. MBNA
AMERICA BANK N.A.**

Extension of time granted

On application of amicus curiae and good cause appearing, it is ordered that the time to serve and file the amicus curiae brief is extended to June 6, 2011.

S186707 G040641 Fourth Appellate District, Div. 3 **PEOPLE v. SCHMITZ
(DOUGLAS)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to May 6, 2011. No further extensions will be contemplated.

S191922 G044915 Fourth Appellate District, Div. 3 **REZEK (EDWARD) v. S.C.
(PEOPLE)**

Extension of time granted

On application of petitioner and good cause appearing, it is ordered that the time to serve and file the reply to answer to petition is extended to May 6, 2011.

S180289 D055068 Fourth Appellate District, Div. 1 **PEOPLE v. MAIKHIO
(BOUHN)**

Order filed

The request of appellant to allocate to amicus curiae California Department of Fish and Game 10 minutes of appellant's 30-minute allotted time for oral argument is granted.

S191412 D056775 Fourth Appellate District, Div. 1 **PEOPLE v. JOHNSON
(REGINA)**

Order filed

The time for granting review on the court's own motion is hereby extended to July 1, 2011. (Cal. Rules of Court, rule 8.512 (c).)

S157374 **MORA ON DISCIPLINE**

Probation revoked

The court orders that the probation of AUGUSTO ACHACOSO MORA, State Bar Number 147160, is revoked. The court further orders that:

1. AUGUSTO ACHACOSO MORA is suspended from the practice of law for a minimum of five years, and he will remain suspended until the following requirement is satisfied:
 - i. He must provide proof to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law before his suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii).)
2. AUGUSTO ACHACOSO MORA is given credit towards the five years' suspension for the period of involuntary inactive enrollment which commenced on January 26, 2011. AUGUSTO ACHACOSO MORA must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar

days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S177713**RUCK ON DISCIPLINE**

Probation revoked

The court orders that the probation of ROBERT KELLY RUCK, State Bar Number 215712, is revoked. The court further orders that ROBERT KELLY RUCK is suspended from the practice of law for one year, execution of that period of suspension is stayed, and he is placed on probation for three years subject to the following conditions:

1. ROBERT KELLY RUCK must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order filed on January 7, 2011.
2. At the expiration of the period of probation, if ROBERT KELLY RUCK has complied with all conditions of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S192372**HOLSENBECK ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of GEORGE PENN HOLSENBECK, State Bar Number 61538., as a member of the State Bar of California is accepted.

GEORGE PENN HOLSENBECK must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

S192377**KALBERER ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of MICHAEL AUGUST KALBERER, State Bar Number 45407, as a member of the State Bar of California is accepted.

MICHAEL AUGUST KALBERER must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

S192378**KARLSON ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of SHEILA ANN KARLSON, State Bar Number 173935, as a member of the State Bar of California is accepted.

SHEILA ANN KARLSON must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

S192381**KASPER ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of DANIEL M. KASPER, State Bar Number 52520, as a member of the State Bar of California is accepted.

DANIEL M. KASPER must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

S192382**KECK ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of KAREN RAE KECK, State Bar Number 124447, as a member of the State Bar of California is accepted.

KAREN RAE KECK must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

S192383**KELLERMAN ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of AARON DAVID KELLERMAN, State Bar Number 216161, as a member of the State Bar of California is accepted.

AARON DAVID KELLERMAN must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

S192385**LEE ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of CHRISTOPHER LEE, State Bar Number 101693, as a member of the State Bar of California is accepted.

CHRISTOPHER LEE must also comply with rule 9.20 of the California Rules of Court and

perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

S192387**LINK ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of DEAN ALAN LINK, State Bar Number 66602, as a member of the State Bar of California is accepted.

DEAN ALAN LINK must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

S192389**MARTINEZ ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of CHRISTIAN BAILEY MARTINEZ, State Bar Number 142146, as a member of the State Bar of California is accepted.

CHRISTIAN BAILEY MARTINEZ must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

S192391**McENTEE ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of MATTHEW ANTHONY McENTEE, State Bar Number 62072, as a member of the State Bar of California is accepted.

MATTHEW ANTHONY McENTEE must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

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The HONORABLE BARBARA J.R. JONES, Presiding Justice of the Court of Appeal, First Appellate District, Division Five, is hereby assigned to assist the Supreme Court, as a justice thereof, on April 26, 2011, and until completion and disposition of all causes and matters submitted pursuant to this assignment including, if necessary by reason of a vacancy or disqualification of a Supreme Court justice, petitions for rehearing arising out of such causes and matters.